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PATENT
ATTORNEY DOCKET NO.: DIVER1270-5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jay M. Short Art Unit: 1635
Application No.: 10/034,622 Examiner: Unassigned
Filed: December 21, 2001
Title: CONSTRUCTION AND USE OF CATALOGUED NUCLEIC ACID
LIBRARIES THAT CONTAIN ADVANTAGEOUSLY ADJUSTED
REPRESENTATIONS OF DEFINED COMPONENTS

BOX MISSING PARTS

Commissioner for Patents
Washington, D.C. 20231

PETITION UNDER 37 C.F.R. §1.182

Sir:

Applicant submits this Petition in response to the Notice of Missing Parts of Nonprovisional Application mailed by the Patent and Trademark Office on March 26, 2002. In that Notice, it was alleged that the application submitted in the above matter was missing pages 1 and 70-76 of the specification. Applicant hereby petitions that the full application was received by the Patent Office and that no such pages of the specification were omitted.

The present application is a divisional application of Application Serial No. 09/089,789, filed June 3, 1998. In that application, page 1 was a title page and pages 70-76 were a Sequence Listing. Upon filing of the present application, the title page and Sequence Listing were removed and a Permission to Use Sequence Listing was filed with the application, requesting that the Sequence Listing from Application Serial No. 09/089,789 be used in the present application. Pages 77-83 were not renumbered after removal of the Sequence Listing or prior to filing the present divisional application. However, all pages of the application were present at filing.

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CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on May 28, 2002, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231

Karen LePari

Karen LePari

In re Application of:
Jay M. Short
Application No.: 10/034,622
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By this Petition, it is requested that the pages of the Specification be renumbered consecutively, beginning with renumbering the page currently numbered page 2, as page 1. Please number the subsequence pages consecutively, ending with the page containing the Abstract as page 75. Figures 1 and 2 do not require page numbers.

It is respectfully submitted that the original application was submitted with 72 pages of specification, 2 pages of claims, 1 page of abstract and 2 pages of drawings. This is the complete application and all of these pages were present when the application was filed on December 21, 2001.

A \$130.00 petition fee is included with this response, however if the Patent Office determines that the allegedly missing items were, in fact, received by the USPTO, it is understood that this fee will be refunded. No additional fees are deemed necessary in connection with the filing of this response. However, if any fee is deemed necessary, the Commissioner is authorized to charge (or apply any credits to) Deposit Account 50-1355. The Examiner is invited to contact Applicants' undersigned representative if there are any questions related to this matter.

Respectfully submitted,

Date: May 28, 2002



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